

**MINUTES OF THE
BOARD OF POLICE COMMISSIONERS MEETING
TUESDAY, DECEMBER 10, 2013**

A meeting of the Board of Police Commissioners of Kansas City, Missouri was held on Tuesday, December 10, 2013, at the Regional Police Academy, 6885 N.E. Pleasant Valley, Kansas City, Missouri.

PRESENT:

Commissioner Alvin L. Brooks, President
Commissioner Angela Wasson-Hunt, Treasurer
Commissioner Lisa T. Pelofsky, Member
Mayor Sylvester “Sly” James, Jr., Member
Darryl Forté, Chief of Police
Mr. David V. Kenner, Secretary/Attorney

EXCUSED:

Commissioner Michael C. Rader, Vice President

This meeting was called to order at 9:08 p.m. by Commissioner Brooks.

The invocation was provided by Pastor John Miles.

1. Councilman John Sharp. Councilman Sharp thanked the police department for the professionalism and security provided at the National Socialist Movement rally that was recently held in Kansas City. All violence was avoided, and the members of the National Socialist Movement were not successful in sparking any violent activity.

He discussed the current red light camera situation and thanked the police department for continued efforts to keep motorists and pedestrians safe in Kansas City. A Court of Appeals decision has put the red light camera program on hold.

Councilman Sharp said that on January 13, 2014, the FBI will conduct a seminar on how to respond to hate crimes. This seminar will be held at UMKC.

Minutes of Board Meeting, December 10, 2013

Councilman Sharp discussed a training video created by the Southern Poverty Law Center.

This afternoon the City will adopt their state and federal legislative priorities for the 2014 session and Councilman Sharp said one of the priorities is to close the loophole in legislation passed in 2012 that allows vehicles 10 or more years old to be sold for scrap without the need to present a title. This has created an increase in auto thefts. He said another priority is to support efforts to close the loophole in the concealed/carry law that allows citizens to carry a concealed weapon in the passenger compartment of a car (concealed but readily accessible) without a concealed/carry permit. The City will seek a fee on cell phones to pay for 911 calls. The City will oppose legislation that would prohibit local law enforcement from cooperating with federal law enforcement with regard to gun laws.

2. Public comments.

Mr. Jack Barr expressed his concerns about problems he is experiencing with his neighbors that have caused him to call the police.

3. City Architects report. Mr. Eric Bosch provided the Board with an update on current police department construction projects.

With regard to police headquarters, new furniture is going in on floors 1, 6, and 7. Additionally, dirt was delivered for the “green roof” and planters will be installed. Landscaping will continue as weather permits as well as other work on the exterior of the building.

With regard to the EPD project, nearly all of the trees have been removed and the Urban Lumber Company will recycle these trees. The demolition contractor is finished

Minutes of Board Meeting, December 10, 2013

and has saved some of the bricks for reuse. Utility companies are moving piping and replacing old water lines. Mr. Bosch said there were two gas stations on the site nearly 50 years ago and the tanks were left behind. A contractor will remove the gas tanks.

Mr. Reeves Wiedeman with Helix Architects presented the site plan diagrams of the EPD/crime lab campus. He said this was not the final rendering and he would present those in the future. Mr. Wiedeman said the crime lab building design went from a two-story building to one-story and the materials are predominantly brick. He discussed the design of the EPD building and said it will be constructed with siding, glass, sloped roofs, porches, masonry, and stone.

Mr. Bosch explained why he is requesting an amendment to the Helix/Wellner contract.

Deputy Chief Kuehl presented the memorandum dated November 21, 2013, recommending approval of the amendment to the Helix/Wellner contract for the revised amount of \$2,273,542. (The memorandum submitted for this Board meeting shows an amount of \$2,502,793; however, Mr. Bosch said the amount has been amended to \$2,273,542.) This will be funded through the public safety sales tax fund.

Commissioner Pelofsky said she would like to see the entire budget for this project. Mr. Bosch provided the ordinance fact sheet and a breakdown of the consultants involved in this amendment.

Mayor James said he wanted to make sure the project was not over-budget and that we were not going to lose any efficiency in the lab related to space for equipment or personnel. Assistant City Manager Pat Klein said there is no budget increase and no efficiency will be lost.

Minutes of Board Meeting, December 10, 2013

A motion was made by Mayor James with a second by Commissioner Wasson-Hunt to approve the amendment to the Helix/Wellner contract for the amended amount of \$2,273,542 that will be funded through the public safety sales tax fund. The vote was 4-0 in favor.

4. **Chief Darryl Forté.** Chief Forté said he wanted to expand on Councilman Sharp's comments about sovereign citizen groups. He said he had former Chief Bob Paudert, from West Memphis; provide training to some of our officers on the dangers of encountering sovereign citizens. Two West Memphis police officers, one being Chief Paudert's son, were killed during a May 2010 traffic stop with a sovereign citizen. Chief Forté thanked Councilman Sharp for his comments.

Chief Forté said a group of Latino Sergeants, a Deputy Chief, and other department members recently met with Mr. Tony Botello of Tony's KC. The Chief said the meeting went well.

Chief Forté said he will facilitate a block of instruction for the academy recruits called "Bias Awareness-Looking in the Mirror." He said eventually he will present this to every academy class.

Public Relations Specialist Jim Strahle will retire on December 20, 2013, and Chief Forté thanked him for his service to the police department and said he has done a great job.

5. Professional Development and Research Bureau.

Deputy Chief Rose submitted the basic training class summary dated December 2, 2013.

Deputy Chief Rose presented the following consent agenda items for approval:

Minutes of Board Meeting, December 10, 2013

- a. Project #741, Arrest Procedures, Possession of a Controlled Substance.

A motion was made by Commissioner Wasson-Hunt with a second by Mayor James to approve consent agenda item (a) as presented. The vote was 4-0 in favor.

- b. Proposed Procedural Instruction, Internally Recorded Audio/Visual Records.

A motion was made by Mayor James with a second by Commissioner Pelofsky approving the consent agenda item (b) as presented. The vote was 4-0 in favor.

6. Administration Bureau.

Major Greg Volker presented the personnel summary dated December 3, 2013. Current department strength is 1,358 law enforcement personnel compared to 1,363 for this same time period in 2012. Civilian strength is 571 positions compared to 570 positions for the same time period 2012.

Director Nick Nichols from Human Resources and Mr. Bob Charlesworth presented the following items for approval:

- a. Request for Proposal #2014-10 Workers' Compensation and psychological services, CompAlliance.
- b. Request for Proposal #2014-9, occupational health services, Concentra.

Mr. Charlesworth said both of these proposals will go into effect on January 1, 2014 and are annually renewable for three more years.

A motion was made by Commissioner Pelofsky with a second by Commissioner Wasson-Hunt to approve the contracts with both CompAlliance and Concentra for the period of January 1, 2014 to December 31, 2014.

Minutes of Board Meeting, December 10, 2013

In follow up to a previous question by the Board, Major Volker said the police department has 50 department members who speak 16 different languages. He said this information is retained with the Communications Unit.

7. Patrol Bureau. Deputy Chief Kuehl presented the monthly crime summary dated October 2013. A copy of the Crime Summary is marked as Attachment “A” and attached to these minutes.

With regard to the November 2013 Traffic Summary; there were two fatalities for the month of November. There have been 53 fatalities year-to-date, compared to 65 year-to-date for the same period last year. A copy of the Traffic Summary is Attachment “B” and attached to these minutes. No Executive Summary was submitted for this meeting, however, Major Kuehl said there were no large fluctuations to report with regard to current response times.

8. Investigations Bureau. Deputy Chief Randy Hopkins submitted the Investigation Bureau summary for November 2013. He said there have been 103 homicides to date; with 100 for the same time period in 2012.

The police department presented 2,728 cases to the prosecutor and 2,121 were filed.

Year-to-date there have been 215 drive by shootings with 219 for the same period last year.

Deputy Chief Hopkins said narcotics arrests are still high, and a new illicit drug to be aware of is “marijuana wax” which is a small, pin dot of 82 to 99 percent pure THC; the equivalent of about two marijuana cigarettes.

Minutes of Board Meeting, December 10, 2013

Mr. Kenner asked for clarification of the amount of marijuana seized listed on the Narcotics and Vice Division Report. Deputy Chief Hopkins said the amount listed, 849,903 pounds, is correct. He said this was due to some large marijuana seizures and eradication of large marijuana fields.

9. **Executive Services Bureau.** Major Mozzicato submitted the following items for Board approval:

a. Microsoft Enterprise Agreement. A memorandum dated November 22, 2013, was submitted to recommend approval for entering into an Enterprise Agreement with Microsoft for a three (3) year period at an annual cost of \$263,429.50 and a one-time purchase of “WinPro 8.1 GetGenuine” licenses at a cost of \$13,855 for a total cost of \$1,704,143.50.

A motion was made by Commissioner Pelofsky with a second by Commissioner Wasson-Hunt to approve the contract with Microsoft for a total cost of \$1,704,143.50 as presented. The vote was 4-0 in favor.

b. COBAN Titan in-car video system. A memorandum dated November 20, 2013, was submitted to recommend approval for the sole source purchase from COBAN Technologies of twenty-five (25) Titan M7V systems at a cost of \$280,045.

Major Mozzicato said these in-car video systems will be installed into new police vehicles.

Mayor James asked why this is a sole source purchase. Sergeant Lee Richards of Patrol Video said the police department has been using the COBAN system since 2006 and the department purchases the upgrades as they become available. Sgt. Richards said

Minutes of Board Meeting, December 10, 2013

staying with the same company prevents the need to purchase new servers and new hard drive arrays.

A motion was made by Commissioner Pelofsky with a second by Commissioner Wasson-Hunt to approve the purchase of in-car video systems from COBAN Technologies at a cost of \$280,045. The vote was 4-0 in favor.

c. 2013-14 Kansas City multi-jurisdictional task force award. A memorandum dated November 21, 2013, was submitted which explains that the police department recently received the 2013-14 KCIPTF grant. The award is from state funds for \$56,911.20 and required no local match. The grant period is from July 1, 2013 through May 31, 2014.

A motion was made by Commissioner Pelofsky with a second by Mayor James to accept the KCIPTF award in the amount of \$56,911.20 as presented. The vote was 4-0 in favor.

d. Budget transfers for fiscal year 2013-14. A memorandum dated November 26, 2013, was submitted which outlines the details of these budget transfers. A copy of this memorandum is Attachment "C" and made a part of these minutes.

Major Mozzicato pointed out that the \$2,000,000 general fund transfer addresses the impact of the pension rate increases.

Mayor James and Commissioner Pelofsky had questions about the content of the budget transfer memorandum. Mr. Paul Kies from the Budget Unit explained the details of the budget transfer memorandum and attachments.

A motion was made by Commissioner Wasson-Hunt with a second by Mayor James approving the budget transfers as presented. The vote was 4-0 in favor.

Minutes of Board Meeting, December 10, 2013

10. Major Steve Young. Major Young submitted the OCC investigations monthly report dated December 2, 2013. There are currently 18 OCC's under investigation.

a. Amendment of Title 17, CSR Section 10-2.055. Major Young submitted a memorandum dated November 27, 2013, requesting approval to amend Title 17, CSR Section 10-2.055. This amendment will give the KCI Airport Police authority to carry patrol rifles and shotguns.

Commissioner Pelofsky inquired about the complaint process with the airport police. Major Young said the airport police are licensed as private security officers, however, they are their own police department with a police chief and rank structure and he could not address how they handle complaints.

Ms. Tamy Gallagher said airport police officers will be trained to use these weapons KCPD range instructors. Chief Forté agreed that these weapons are needed at the airport due to the number of airport incidents that have occurred across the country.

A motion was made by Commissioner Wasson-Hunt with a second by Mayor James approving the request to amend Title 17, CSR Section 10-2.055 to allow the KCI Airport Police to carry patrol rifles and shotguns. The vote was 4-0 in favor.

11. Audit Committee report. Commissioner Wasson had nothing to report at this time for the Audit Committee.

12. Fraternal Order of Police Lodge #99. Sergeant Brad Dumit thanked everyone who contributed to the Coats for Kids campaign. He said the FOP continues to support the Child Protection Center.

Sgt. Dumit also thanked the Board for the open line of communication with the FOP.

Minutes of Board Meeting, December 10, 2013

13. Scheduled meetings

Tuesday, January 14, 2014
9:00 a.m., South Patrol Division, 9701 Marion Park Drive, Annex Building,
Multi-Purpose Room, Kansas City

Tuesday, February 11, 2014
9:00 a.m., South Patrol Division, 9701 Marion Park Drive, Annex Building,
Multi-Purpose Room, Kansas City

14. Mr. David V. Kenner. Mr. Kenner wished everyone a happy and safe holiday.

15. Commissioner Alvin Brooks. Commissioner Brooks wished Mayor James happy birthday.

Commissioner Brooks said he has contacted Officer Don Hubbard and will remain in contact with him and his family. He said Officer Hubbard was in good spirits and Officer Hubbard said he appreciates the Board's concern.

16. Mayor Sylvester "Sly" James, Jr. Mayor James thanked Commissioner Brooks for his service and his sense of humor.

17. Commissioner Pelofsky. Commissioner Pelofsky extended her concern and wishes of a speedy recovery to Officer Don Hubbard and others who have had incidents and accidents in the past month. She reminded everyone to be safe and to have a good holiday.

A motion was made by Mayor James, seconded by Commissioner Wasson-Hunt and by vote indicated below, to adjourn its open meeting at 10:49 a.m. and reconvene in

Minutes of Board Meeting, December 10, 2013

closed session at 11:05 a.m. as provided in the following resolution. Following a roll call, the vote was 4-0 in favor.

RESOLUTION

WHEREAS, notice of the board meeting of the Board of Police Commissioners was given on October 31, 2013, and

WHEREAS, said notice indicated that the Board of Police Commissioners might go into closed session during said meeting, and

WHEREAS, notice of the closed meeting follows the guidelines of Section 610.020 of the Revised Statutes of Missouri.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Police Commissioners go into closed session during the meeting being held on Monday, December 10, 2013, at the **Regional Police Academy, 6885 N.E. Pleasant Valley Road, Kansas City, Missouri**, for the purpose of discussing personnel matters, litigation matters, and labor negotiations.

The following Commissioners were present and voted to go into closed session as follows:

Commissioner Alvin L. Brooks	-	Aye
Commissioner Angela Wasson-Hunt	-	Aye
Commissioner Lisa T. Pelofsky	-	Aye
Mayor Sylvester "Sly" James, Jr.	-	Aye

There being a quorum present and the question of holding a closed session having received an affirmative public vote of at least three (3) members, a closed meeting was held as set forth above.

Below are the votes from the closed session meeting of the Board of Police Commissioners on December 10, 2013 (Commissioner Rader was absent from the meeting):

Minutes of Board Meeting, December 10, 2013

1) Following a motion by Commissioner Wasson-Hunt and a second by Commissioner Pelofsky, the Board voted to go into special closed session to discuss personnel matters. The vote was 4-0 in favor. Following polling, Mayor James voted Aye, Commissioner Wasson-Hunt voted Aye, Commissioner Pelofsky voted Aye, and Commissioner Brooks voted Aye.

2) Following a motion by Commissioner Wasson-Hunt and a second by Mayor James, the Board voted to come out of special closed session. The vote was 4-0 in favor. Following polling, Mayor James voted Aye, Commissioner Wasson-Hunt voted Aye, Commissioner Pelofsky voted Aye, and Commissioner Brooks voted Aye. Following a motion by Mayor James and a second by Commissioner Wasson-Hunt, the Board voted to adjourn. The vote was 4-0 in favor.

The Board adjourned at 11:40 a.m.

President

Secretary/Attorney